

IFW 2131 \$

### AMENDMENT TRANSMITTAL

PATENT

Application No.: 09/895,353  
Filing Date: June 29, 2001  
First Named Inventor: Avery IV, et al.  
Examiner's Name: Chen, Shin Hon  
Art Unit: 2131  
Attorney Docket No.: 4609.P002X

- ☐ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- ☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- ☐ Applicant(s) claim small entity status (37 CFR 1.27).

### ATTACHMENTS

- ☐ Preliminary Amendment
- ☒ Amendment/Response with respect to Office Action
- ☐ Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
- ☐ Notice of Appeal
- ☐ RCE (Request for Continued Examination)
- ☐ Supplemental Declaration
- ☒ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- ☐ Information Disclosure Statement (IDS)
- ☐ Copies of IDS citations
- ☒ Petition for Extension of Time
- ☒ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- ☐ Cross-Reference to Related Application(s)
- ☐ Certified Copy of Priority Document
- ☒ Other: Three (3) signed Declarations Under 37 C.F.R. § 1.131, Exhibit A – Amended Claims, Exhibit B – Office Action dated January 19, 2005, and Exhibit C – Equinix Invoices
- ☐ Other: \_\_\_\_\_
- ☒ Check(s)
- ☒ Postcard (Return Receipt)

### SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Thomas S. Ferrill

SIGNATURE: *Thomas S. Ferrill*

REG. NO.: 42,532

DATE: 5-18-05

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### CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on May 18, 2005

Date of Deposit

Deborah A. McGovern

Name of Person Mailing Correspondence

*Deborah A. McGovern*  
Signature

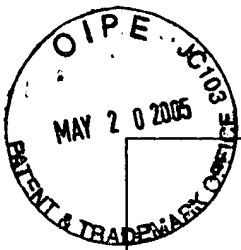
May 18, 2005

Date

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(10/14/03)



## FEE TRANSMITTAL FOR FY 2005

(FY 2005 Begins 10/01/2004. Fee changes made on 11/22/04 and 12/08/04 are included.)

TOTAL AMOUNT OF PAYMENT (\$) ~~120.00~~

\$250.00 *dm*

Complete if Known:

Application No. 09/895,353  
Filing Date June 29, 2001  
First Named Inventor Avery IV, et al.  
Examiner Name Chen, Shin Hon  
Art Unit 2131  
Attorney Docket No. 4609.P002X

Applicant claims small entity status. See 37 CFR 1.27.

### METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:

☐ Charge fee(s) indicated below.

☒ Credit any overpayments.

☒ Charge any additional fees during the pendency of this application.

☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

☐ Charge fee(s) indicated below except for the filing fee

### FEE CALCULATION

#### 1A. BASIC FILING FEE/SEARCH FEE/EXAMINATION FEE

Large Entity		Small Entity		Fee Description		Fee Paid
Code	Fee (\$)	Code	Fee (\$)			
1011	300	2011	150	Utility application filing fee	} 1,000/500*	\$0.00
1111	500	2111	250	Utility search fee		\$0.00
1311	200	2311	100	Utility examination fee		\$0.00
1012	200	2012	100	Design application filing fee	} 430/215*	
1112	100	2112	50	Design search fee		
1312	130	2312	65	Design examination fee		
1013	200	2013	100	Plant filing fee	} 660/330*	
1113	300	2113	150	Plant search fee		
1313	160	2313	80	Plant examination fee		
1004	300	2004	150	Reissue filing fee	} 1,400/700*	
1114	500	2114	250	Reissue search fee		
1314	600	2314	300	Reissue examination fee		
1005	200	2005	100	Provisional application filing fee		

SUBTOTAL (1) \$0.00

\* List the filing, search, and examination fees separately, but pay concurrently.

**1B. APPLICATION SIZE FEE**

		<u>Extra Sheets</u>		<u>Fee from below</u>	<u>Fee paid</u>
Total Sheets	_____ - 100 =	_____ /50 =	* X	<u>\$250.00</u>	_____
*(round up to integer)					
<u>Large Entity</u>		<u>Small Entity</u>			
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1081	250	2081	125		
				<u>Fee Description</u>	
				Utility application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings)	
1082	250	2082	125	Design application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings)	
1083	250	2083	125	Plant application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings)	
1084	250	2084	125	Reissue application fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings)	
					SUBTOTAL (2) \$ _____ 0 _____

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

		<u>Extra Claims</u>		<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims	<u>24</u>	- 24** =	_____	X <u>\$50.00</u>	= <u>0</u>
Independent Claims	<u>2</u>	- 3** =	_____	X <u>\$200.00</u>	= <u>0</u>
Multiple Dependent					= _____
**Or number previously paid, if greater; For Reissues, see below.					
<u>Large Entity</u>		<u>Small Entity</u>			
Code	Fee (\$)	Code	Fee (\$)		
1202	50	2202	25		
1201	200	2201	100		
1203	360	2203	180		
1204	200	2204	100		
1205	50	2205	25		
				<u>Fee Description</u>	
				Claims in excess of 20	
				Independent claims in excess of 3	
				Multiple dependent claim, if not paid	
				**Reissue independent claims over original patent	
				**Reissue claims in excess of 20 and over original patent	
					SUBTOTAL (3) \$ _____ 0 _____

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	120.00
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1100	2503	550	Plant issue fee	
1464	130	1460	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1463	200	1460	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1462	400	1460	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	130	2814	65	Statutory Disclaimer	130
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	
Other fee (specify) _____					
Other fee (specify) _____					
				<b>SUBTOTAL (4)</b>	<b>\$ 1250.00</b>

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Thomas S. FerrillSignature: Thomas S. FerrillReg. Number: 42,532Date: 5-18-05Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450